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EXAMINER

FLEURANTIN, JEAN B

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,328

Applicant(s)

KAYAHARA, NAOKI

Examiner

Jean B Fleurantin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: .

DETAILED ACTION

1. Claims 1-39 are presented for examination.

Priority

2. Receipt is acknowledged of papers submitted under U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

3. The drawings filed on 07/31/2001 are approved by the Draftsperson under 37 CFR1.84 or 1.152 as indicated in the "Notice of Draftsperson's Patent Drawing Review," PTO-948.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Seto et al. (US Patent Number 5,546,572)("Seto").

As per claims 1, 6, 11, 12 and 15, Seto teaches a method for retrieving retrieval object of sensuous image meeting with sensuous image of retrieving word among a plurality of retrieval objects on the basis of a given retrieving word (see col. 1, lines 41-43), as claimed comprises storing an expression word map, in which a plurality of expression word expressing sensuous images of retrieval objects on a virtual space depending upon degree of association of those sensuous images are arranged, and storing said plurality of retrieval objects (thus, each image

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stored in a conventional image filing apparatus is assigned, as a retrieval index particular information, such as image sensing parameters including the date of sensing, the type of sensors and the like, it is therefore easy to retrieve an image by using image sensing parameters but difficult to retrieve an image by designating a particular point or area of the image; which is equivalent to storing an expression word map, in which a plurality of expression word expressing sensuous images of retrieval objects on a virtual space depending upon degree of association of those sensuous images are arranged)(see col. 1, lines 41-46); and

including a first position deriving step of deriving the expression word corresponded to said retrieval object or position of the expression word contained in each of said retrieving object in said virtual space (thus, a large object is first retrieved by using position information; which is equivalent to including a first position deriving step of deriving the expression word corresponded to said retrieval object or position of the expression word contained in each of said retrieving object in said virtual space)(see col. 7, lines 29-30),

a retrieving object map generation step of generating a retrieval object map arranging said respective retrieval objects on said virtual space on the basis of position derived at said first position deriving step (thus, an image inclusive of a particular object can be retrieved directly from position information, the latitudes and longitudes of four corners of a sensed 'corrected' image registered in advance are used for retrieving the image, while checking whether a retrieving position is within an area defined by the latitudes and longitudes of the four corners; which is readable as a retrieving object map generation step of generating a retrieval object map arranging said respective retrieval objects on said virtual space on the basis of position derived at said first position deriving step)(see col. 1, lines 50-56),

a second position deriving step of deriving position of said retrieving word on said virtual space with reference to said expression word (thus, calling a macro object a 'parent' and a micro object a 'child', the coordinates of the position of the parent may be defined by using an absolute coordinate system of an image or map, and the coordinates of the position of the child may be defined by a displacement from the parent coordinates, this method affects the configuration of the object table; which is readable as a second position deriving step of deriving position of said retrieving word on said virtual space with reference to said expression word)(see col. 21, lines 22-26),

and retrieval object retrieving step of retrieving the retrieval object of sensuous image meeting with sensuous image of said retrieving word among a plurality of retrieval objects on the basis of the position derived at said second position deriving step with reference to said retrieval object map (thus, an issue of retrieving an image inclusive of a particular position or area is settled by adding indices of sensing parameters to each image and using position information as indices, sensing parameters and position information are used as a retrieving key; which is readable as retrieval object retrieving step of retrieving the retrieval object of sensuous image meeting with sensuous image of said retrieving word among a plurality of retrieval objects on the basis of the position derived at said second position deriving step with reference to said retrieval object map)(see col. 4, lines 23-30).

As per claims 2, 3 and 7, Seto teaches a retrieving method as claimed, wherein said retrieval object retrieving step retrieves the retrieval object at a position having smaller distance to a position derived at said second position deriving step in said virtual space with reference to said retrieval object map in ascending order (see col. 10, lines 27-35).

As per claims 4 and 9, the limitations of claims 4 and 9 are rejected in the analysis of claim 1, and these claims are rejected on that basis.

As per claims 5 and 10, in addition to the discussion in claim 1, Seto further teaches said method comprises second retrieval object retrieving step of retrieving retrieval object corresponding to attribute information matching with a given attribute information among said plurality of retrieval objects on the basis of the given attribute information (thus, an image inclusive of a particular object can be retrieved directly from position information, the latitudes and longitudes of four corners of a sensed; which is equivalent to second retrieval object retrieving step of retrieving retrieval object corresponding to attribute information matching with a given attribute information among said plurality of retrieval objects on the basis of the given attribute information)(see col. 1, lines 50-54).

As per claim 8, Seto teaches a retrieving method as claimed, wherein said retrieval object retrieving means retrieves the retrieval object at a position having smaller angle defined by a straight line connecting a position in said virtual space derived by said second position deriving means and an origin of said virtual space and a straight line connecting a position of said retrieving object in said virtual space and the origin of said virtual space, with reference to said retrieval object map (see col. 10, lines 27-35).

As per claims 13 and 16, in addition to the discussion in claim 1, Seto further teaches said method comprises expression word extracting step of extracting said expression word from said retrieval object descriptive document and said supplementary document corresponding to said retrieval object with reference to said expression word map (thus, the latitude/longitude coordinates retrieved at the object retrieving process 790 are converted into line/pixel values, by

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using the latitude/longitude line/pixel conversion coefficients retrieved at the latitude/longitude line/pixel conversion coefficients retrieving process 740; which is readable as)(see col. 16, lines 32-37).

As per claims 14 and 17, Seto teaches a retrieving method as claimed, wherein each of said retrieval objects is stored with correspondence with an attribute information indicative of said retrieval object in addition to said retrieval object descriptive object and said supplementary document (see col. 16, lines 32-37).

As per claims 18, 22 and 29, Seto teaches a method for retrieving graphic image of sensuous image meeting with sensuous image of retrieving word among a plurality of graphic images on the basis of a given retrieving word (see col. 1, lines 41-43), as claimed comprises storing an expression word map, in which a plurality of expression word expressing sensuous images of graphic images on a virtual space depending upon degree of association of those sensuous images are arranged, and storing said plurality of graphic images (thus, each image stored in a conventional image filing apparatus is assigned, as a retrieval index particular information, such as image sensing parameters including the date of sensing, the type of sensors and the like, it is therefore easy to retrieve an image by using image sensing parameters but difficult to retrieve an image by designating a particular point or area of the image; which is equivalent to storing an expression word map, in which a plurality of expression word expressing sensuous images of graphic images on a virtual space depending upon degree of association of those sensuous images are arranged, and storing said plurality of graphic images)(see col. 1, lines 41-46); and

including a first position deriving step of deriving the expression word corresponded to said graphic image or position of the expression word contained in each of said graphic image in said virtual space (thus, use of the information as indices allows a direct retrieval of an object irrespective of time and the type of image; which is readable as including a first position deriving step of deriving the expression word corresponded to said graphic image)(see col. 6, lines 58-60), a graphic image map generation step of generating a graphic image map arranging said respective graphic images on said virtual space on the basis of position derived at said first position deriving step (thus, an image inclusive of a particular object can be retrieved directly from position information, the latitudes and longitudes of four corners of a sensed 'corrected' image registered in advance are used for retrieving the image, while checking whether a retrieving position is within an area defined by the latitudes and longitudes of the four corners; which is readable as a graphic image map generation step of generating a graphic image map arranging said respective graphic images on said virtual space on the basis of position derived at said first position deriving step)(see col. 1, lines 50-56),

a second position deriving step of deriving position of said retrieving word on said virtual space with reference to said expression word (thus, calling a macro object a 'parent' and a micro object a 'child', the coordinates of the position of the parent may be defined by using an absolute coordinate system of an image or map, and the coordinates of the position of the child may be defined by a displacement from the parent coordinates, this method affects the configuration of the object table; which is readable as a second position deriving step of deriving position of said retrieving word on said virtual space with reference to said expression word)(see col. 21, lines 22-26), and

graphic image retrieving step of retrieving the graphic image of sensuous image meeting with sensuous image of said retrieving word among a plurality of graphic images on the basis of the position derived at said second position deriving step with reference to said graphic image map (thus, an issue of retrieving an image inclusive of a particular position or area is settled by adding indices of sensing parameters to each image and using position information as indices, sensing parameters and position information are used as a retrieving key; which is readable as graphic image retrieving step of retrieving the graphic image of sensuous image meeting with sensuous image of said retrieving word among a plurality of graphic images on the basis of the position derived at said second position deriving step with reference to said graphic image map)(see col. 4, lines 23-30).

As per claims 19 and 20, Seto teaches a retrieving method as claimed, wherein said graphic image retrieving step retrieves the graphic image at a position having smaller distance to a position derived at said second position deriving step in said virtual space with reference to said graphic image map in ascending order (see col. 10, lines 27-35).

As per claim 21, in addition to the discussion in claim 18, Seto further teaches said method comprises second graphic image retrieving step of retrieving graphic image corresponding to attribute information matching with a given attribute information among said plurality of graphic images on the basis of the given attribute information (thus, an image inclusive of a particular object can be retrieved directly from position information, the latitudes and longitudes of four corners of a sensed; which is equivalent to second graphic image retrieving step of retrieving graphic image corresponding to attribute information matching with

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a given attribute information among said plurality of graphic images on the basis of the given attribute information)(see col. 1, lines 50-54).

As per claim 23, Seto teaches a retrieving system as claimed, wherein said graphic image retrieving means retrieves the graphic image at a position having smaller distance to a position derived at said second position deriving means in said virtual space with reference to said graphic image map in ascending order (see col. 10, lines 27-35).

As per claim 24, Seto teaches a retrieving system as claimed, wherein said graphic image retrieving means retrieves the graphic image at a position having smaller angle defined by a straight line connecting a position in said virtual space derived by said second position deriving means and an origin of said virtual space and a straight line connecting a position of said graphic image in said virtual space and the origin of said virtual space, with reference to said graphic image map (see col. 10, lines 27-35).

As per claim 25, in addition to the discussion in claim 18, Seto further teaches said system comprises second graphic image retrieving means for retrieving graphic image corresponding to attribute information matching with a given attribute information among said plurality of graphic images on the basis of the given attribute information (thus, calling a macro object a 'parent' and a micro object a 'child', the coordinates of the position of the parent may be defined by using an absolute coordinate system of an image or map, and the coordinates of the position of the child may be defined by a displacement from the parent coordinates, this method affects the configuration of the object table; which is readable as second graphic image retrieving means for retrieving graphic image corresponding to attribute information matching with a given

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attribute information among said plurality of graphic images on the basis of the given attribute information)(see col. 21, lines 22-26).

As per claim 26, Seto teaches a retrieving system as claimed, which is applied for retrieval of hair style graphic images expressing hair styles (see col. 1, lines 50-56).

As per claims 27 and 28, in addition to the discussion in claim 18, Seto further teaches said first axis is assigned for amount of sense of dynamic as quantified on one axial direction and amount of sense of smart as quantified on the other direction (see col. 1, lines 40-43),

the second axis is assigned for amount of sense of masculine c as quantified on one axial direction and amount of sense of femininity as quantified on the other direction (see col. 21, lines 22-26).

As per claims 30-33, Seto teaches a graphic image retrieving data used by a computer retrieving hair style graphic image of sensuous image meeting with sensuous image of a retrieving word among a plurality of hair style graphic images expressing hair styles on the basis of given retrieving word (see col. 1, lines 41-43),

a storing expression word map, in which a plurality of expression words expressing sensuous images of hair style graphic images on a virtual space is a space of coordinate system having a first axis and a second axis perpendicular to said first axis, depending upon degree of association of the sensuous images (thus, each image stored in a conventional image filing apparatus is assigned as a retrieval index particular information, such as image sensing parameters including the date of sensing, the type of sensors and the like, it is therefore easy to retrieve an image by using image sensing parameters but difficult to retrieve an image by designating a particular point or area of the image; which is equivalent to a storing expression

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word map, in which a plurality of expression words expressing sensuous images of hair style graphic images on a virtual space is a space of coordinate system having a first axis and a second axis perpendicular to said first axis, depending upon degree of association of the sensuous images)(see col. 1, lines 41-46),

said first axis is assigned for amount of sense of dynamic as quantified on one axial direction and amount of sense of smart as quantified on the other direction the second axis is assigned for amount of sense of masculine as quantified on one axial direction and amount of sense of femininity as quantified on the other direction (thus, an issue of retrieving an image inclusive of a particular position or area is settled by adding indices of sensing parameters to each image and using position information as indices, namely sensing parameters and position information are used as a retrieving key, the position information includes for example, the latitudes and longitudes of a map, and the lines and pixels of image coordinates. If the map coordinates are used for the position information, a latitude/longitude-pixel/line conversion expression is used for converting map coordinates into image coordinates; which is readable as said first axis is assigned for amount of sense of dynamic as quantified on one axial direction and amount of sense of smart as quantified on the other direction the second axis is assigned for amount of sense of masculine as quantified on one axial direction and amount of sense of femininity as quantified on the other direction)(see col. 4, lines 23-35).

As per claims 34 and 37, Seto teaches a method for generating a graphic image map to be used for a method of retrieving graphic image of sensuous image meeting with sensuous image of retrieving word among a plurality of graphic images to be retrieval objects on the basis of a given retrieving word using said graphic image map, in which a plurality of expression word

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expressing sensuous images of graphic images on a virtual space depending upon degree of association of those sensuous images are arranged (see col. 1, lines 41-43), as claimed comprises storing an expression word map, in which a plurality of expression word expressing sensuous images of graphic images on a virtual space depending upon degree of association of those sensuous images are arranged, and storing said plurality of graphic images with correspondence to said expression words (thus, each image stored in a conventional image filing apparatus is assigned, as a retrieval index particular information, such as image sensing parameters including the date of sensing, the type of sensors and the like, it is therefore easy to retrieve an image by using image sensing parameters but difficult to retrieve an image by designating a particular point or area of the image; which is equivalent to storing an expression word map, in which a plurality of expression word expressing sensuous images of graphic images on a virtual space depending upon degree of association of those sensuous images are arranged, and storing said plurality of graphic images with correspondence to said expression words)(see col. 1, lines 41-46); and

including a first position deriving step of deriving the expression word corresponded to said graphic image or position of the expression word contained in each of said graphic image in said virtual space, and a graphic image map generation step of generating a graphic image map arranging said respective graphic images on said virtual space on the basis of position derived at said first position deriving step (thus, an image inclusive of a particular object can be retrieved directly from position information, the latitudes and longitudes of four corners of a sensed 'corrected' image registered in advance are used for retrieving the image, while checking whether a retrieving position is within an area defined by the latitudes and longitudes of the four corners;

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which is readable as including a first position deriving step of deriving the expression word corresponded to said graphic image or position of the expression word contained in each of said graphic image in said virtual space, and a graphic image map generation step of generating a graphic image map arranging said respective graphic images on said virtual space on the basis of position derived at said first position deriving step)(see col. 1, lines 50-56).

As per claims 35 and 38, in addition to the discussion in claim 34, Seto further teaches said method comprises expression word extracting step of extracting said expression word from said graphic image descriptive document and said supplementary document corresponding to said graphic image with reference to said expression word map (thus, a large object is first retrieved by using position information; which is equivalent to extracting said expression word from said graphic image descriptive document and said supplementary document corresponding to said graphic image with reference to said expression word map)(see col. 7, lines 29-30),

said first position deriving step derives the position of the expression word extracted at said expression word extracting step with reference to said expression word map (thus, an image inclusive of a particular object can be retrieved directly from position information, the latitudes and longitudes of four corners of a sensed 'corrected' image registered in advance are used for retrieving the image, while checking whether a retrieving position is within an area defined by the latitudes and longitudes of the four corners; which is readable as said first position deriving step derives the position of the expression word extracted at said expression word extracting step with reference to said expression word map)(see col. 1, lines 50-56).

As per claims 36 and 39, Seto teaches a graphic image map as claimed, wherein each of said graphic images is stored with correspondence with an attribute information indicative of

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said graphic image in addition to said graphic image descriptive object and said supplementary document (see col. 16, lines 32-37).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yajima et al. US Pat. No. 6,523,024 relates to a method for retrieving information with image information.

Conclusion

6. Any inquiry concerning this communication from examiner should be directed to Jean Bolte Fleurantin at (703) 308-6718. The examiner can normally be reached on Monday through Friday from 7:30 A.M. to 6:00 P.M.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Mrs. KIM VU can be reached at (703) 305-8449. The FAX phone numbers for the Group 2100 Customer Service Center are: *After Final* (703) 746-7238, *Official* (703) 746-7239, and *Non-Official* (703) 746-7240. NOTE: Documents transmitted by facsimile will be entered as official documents on the file wrapper unless clearly marked "**DRAFT**".

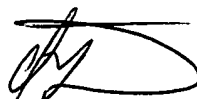
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2100 Customer Service Center receptionist whose telephone numbers are (703) 306-5631, (703) 306-5632, (703) 306-5633.



Jean Bolte Fleurantin

April 30, 2003

JBF/


JEAN M. CORRIELUS
PRIMARY EXAMINER